IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.543 OF 2005

IN

SUIT NO.1856 OF 2004

The Mahanagar Telephone Nigam Ltd. ... Plaintiff.

vs.

Manish Mangesh Agarwal & others. .... Defendants.

Mr.V.V.Shinde i/b. Shukla & Associates, for Plaintiff.

None for Defendants.

CORAM: D.K.DESHMUKH,J.

DATED: 17th March,, 2006

P.C.:-

1. This is a notice of motion taken out by the plaintiff claiming order of attachment before judgment against defendant no.2. The learned Counsel appearing for plaintiff states that the defendant no.2 is served. He has filed affidavit of service. Though appearance is filed on behalf of defendant no.2, none appeared for defendant no.2. There is no reply filed by the defendant no.2. I have heard the learned

Counsel appearing for plaintiff. I have also perused the record including no objection certificate issued by defendant no.2. In the absence of any reply filed by defendant no.2, the averments made in the affidavit filed in support of notice of motion are to be taken at face value. The notice of motion is therefore, granted in terms of prayer clause (b). The notice of motion is disposed of.